IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No. 18262 of 2003
Date of decision : 17.11.2006.

...

Rajinder Parsad

..... Petitioner

vs.

Uttar Haryana Bijli Vitran Nigam and others

.....Respondents

Coram: Hon'ble Mr. Justice M.M. Kumar
Hon'ble Mr. Justice S.N. Aggarwal

Present: Sh. Hari Om Sharma, Advocate
for the petitioner.

Ms. Vandana Malhotra, Advocate
for the respondents.

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M.M. Kumar,J. (Oral)

Challenge in this petition under Articles 226/227 of the Constitution, is to the order dated 17.11.2003 (Annexure P-6) reverting the petitioner from the post of Lineman to the Assistant Lineman. Basis of the order dated 17.11.2003 (Annexure P-6) is that when the petitioner was transferred from the Operation Division, Delhi to the Operation Division, Yamuna Nagar, he had lost his

seniority because he was transferred at his own request. The aforementioned position is clear from the order dated 16.3.1983, which stipulates that the seniority of the petitioner in Yamuna Nagar Circle on transfer has to be at the tail end of the seniority list as ALM.

The aforementioned factual position could not be successfully controverted by the learned counsel for the petitioner. Once, it is established that the petitioner was wrongly promoted on the post of Lineman on the basis of his original seniority then no legal infirmity could be found in the impugned order dated 17.11.2003 (Annexure P-6). Therefore, the writ petition is liable to be dismissed.

For the reasons aforementioned, this petition fails. The same is dismissed.

(M.M. Kumar)
Judge

(S.N.Aggarwal)
Judge

17.11.2006.
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